

**Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

1. (Currently Amended) A mobile terminal (~~MS~~) comprising:  
transceiving means (~~TAF, 93~~) for communicating data with a mobile network element (~~IWF~~) using a bearer that is modifiable by a negotiation between the mobile terminal (~~MS~~) and the mobile network element (~~IWF~~), said data being divided into data units (~~60~~), wherein each data unit comprises at least one user data element (~~61~~) and at least one status data element (~~62~~), ~~said status data element (62)~~, said status data element comprising a status indication (~~63~~) from the mobile network element (~~IWF~~) to the mobile terminal (~~MS~~);  
  
~~wherein said mobile terminal (MS) further comprises~~  
  
detecting means (~~96~~) for detecting a need for bearer modification from received status indications (~~63~~) in at least two consecutive data units; and  
  
control means (~~91~~) for initiating a negotiation for bearer modification, as a response to the detected need for bearer modification.
2. (Currently Amended) A mobile terminal as claimed in claim 1, wherein the transceiving means (~~TAF, 93~~) is arranged to transceive data units (~~60~~) in information fields (~~52~~) of frames (~~50~~) transmitted over an the air interface.
3. (Currently Amended) A mobile terminal as claimed in claim 2, wherein the frames (~~50~~) are transmitted over the air interface in consecutive TDMA data frames, and the bearer modification comprises modification of an ~~the~~ amount of time slots in consecutive TDMA frames assigned for the transmission between the mobile terminal (~~MS~~) and the mobile network element (~~IWF~~).
4. (Currently Amended) A mobile terminal as claimed in claim 3, wherein the bearer modification comprises either of the following: bearer upgrading or ~~and~~ bearer downgrading.

5. (Currently Amended) A mobile terminal as claimed in claim 1, wherein the mobile terminal is a GSM terminal supporting HSCSD service and the mobile network element comprises an ~~being the~~ Inter-Working Function (IWF) of a ~~the~~ Mobile Switching Center (MSC).

6. (Currently Amended) A mobile terminal as claimed in claim 1, wherein said status indication ~~(53)~~ comprises an indication ~~(Flbit)~~ of flow control~~[[,]]~~ when the flow control is active in the mobile network element ~~(IWF)~~, and further wherein said detecting means ~~(96)~~ being is responsive to said indication ~~(Flbit)~~ of flow control.

7. (Currently Amended) A mobile terminal as claimed in claim 6, wherein said detecting means ~~(96)~~ comprises a counter ~~(CT)~~ arranged to be incremented as a response to a first data unit ~~(60)~~ that comprises said indication ~~(Flbit)~~ of flow control and is preceded by a second data unit ~~(60)~~ that also comprises said indication ~~(Flbit)~~ of flow control.

8. (Currently Amended) A mobile terminal as claimed in claim 6, wherein the control means ~~(91)~~ is arranged to initiate a negotiation for bearer downgrading, as a response to ~~the~~ a reading of a ~~the~~ counter ~~(CT)~~ exceeding a predefined threshold ~~(TH1)~~.

9. (Currently Amended) A mobile terminal as claimed in claim 1, wherein the status indication ~~(53)~~ is an ending indication ~~(Sbit)~~ included in the data unit ~~(60)~~ whenever the data unit ~~(60)~~ is not full of data.

10. (Currently Amended) A mobile terminal as claimed in claim 1, wherein said means for detecting comprises at least one counter ~~(SE)~~ arranged to be incremented at least as a response to the data unit ~~(60)~~ comprising an ~~said~~ ending indication ~~(Sbit)~~, and at least one timer ~~(t)~~.

11. (Currently Amended) A method for communicating with a mobile network element ~~(IWF)~~, comprising:

communicating data with a mobile network element ~~(IWF)~~ using a bearer that is modifiable by a negotiation between a ~~the~~ mobile terminal ~~(MS)~~ and the mobile network element ~~(IWF)~~, said data being divided into data units ~~(60)~~, wherein each data unit comprises at least one user data element ~~(61)~~ and at least one status data element ~~(62)~~, said status data element ~~(62)~~

comprising a status indication ~~(63)~~ from the mobile network element ~~(IWF)~~ to the mobile terminal ~~(MS)~~;

~~wherein the method further comprises~~

detecting a need for bearer modification from received status indications ~~(63)~~ in at least two consecutive data units; and

initiating a negotiation for bearer modification, as a response to the detected need for bearer modification.

12. (Previously Presented) A method of communication between a network element and a mobile terminal in a communication network comprising;

exchanging a plurality of data units between the network element and the mobile terminal, wherein at least one data unit includes a status bit indicating that flow control in a data terminal equipment used to transmit the data unit is active or inactive;

analyzing the status bit; and

requesting a change in a data rate used to exchange the plurality of data units.

13. (Previously Presented) The method of communication of claim 12, wherein the plurality of data units are exchanged using a number of time slots, and the data rate is changed by changing the number of time slots.

14. (Currently Amended) The method of communication of claim 12, wherein the mobile terminal ~~analyses~~ analyzes the status bit and requests the change in the data rate.

15. (Previously Presented) A communication network comprising;

a mobile terminal;

a network element for exchanging a plurality of data units with the mobile terminal;

circuitry for providing at least one data unit that includes a status bit indicating that flow control in a data terminal equipment used to transmit the data unit is active or inactive; and

circuitry for analyzing the status bit and for requesting a change in a data rate used to exchange the plurality of data units.

16. (Currently Amended) The communication network of claim 15, wherein the mobile terminal and the network element further comprise circuitry for exchanging the plurality of data units using time slots, and wherein the data rate is changed by changing a the number of time slots.

17. (Currently Amended) The communication network of claim 15, wherein the circuitry for providing the at least one data unit that includes ~~[[a]]~~ the status bit is part of the network element.

18. (Currently Amended) The communication network of claim 15, wherein the circuitry for analyzing the status bit and for requesting ~~[[a]]~~ the change in ~~[[a]]~~ the data rate is part of the mobile terminal.